

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 William H. Ball,

4 Plaintiff

5 v.

6 Barclaycard, et al.,

7 Defendants

Case No. 2:23-cv-02019-JAD-BNW

**Order Granting Unopposed
Motion to Dismiss**

[ECF No. 15]

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9 Defendant Barclays Bank Delaware, incorrectly sued as “Barclaycard” and
10 “BarclaysUS,” moves to dismiss¹ this suit over inaccurate information about the status of a credit
11 card account, which was filed by Plaintiff William H. Ball in state court and then removed to
12 federal court last December. Barclays argues that this case must be dismissed because any state-
13 law claims are preempted by the Fair Credit Reporting Act, and Ball has not alleged that a credit-
14 reporting agency provided notice of his dispute to Barclays, which is required to state a plausible
15 claim under that federal statute. Ball’s deadline to oppose that motion ran on March 12, 2024,
16 without response or any request to extend it. Local Rule 7-2(d) provides that “[t]he failure of an
17 opposing party to file points and authorities in response to any motion, except a motion under
18 Fed. R. Civ. P. 56 or a motion for attorney’s fees, constitutes a consent to the granting of the
19 motion.” I apply Local Rule 7-2(d) and deem plaintiff’s failure to oppose this motion as his
20 consent to granting it. Accordingly,

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¹ ECF No. 15.

1 IT IS HEREBY ORDERED that **the motion to dismiss [ECF No. 15] is GRANTED.**
2 **This case is DISMISSED, and** the Clerk of Court is directed to **CLOSE THIS CASE.**

3 Dated: March 15, 2024

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5 U.S. District Judge Jennifer A. Dorsey
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